REMARKS

Claims 1-5, 7-10, and 12-25 are pending. Claims 1-5, 7-10, and 12-20 stand rejected. Claims 21-25 are new. In an office action dated September 24, 2004, the Examiner rejected claims 11-5, 7-10, and 12-20. The Examiner noted that Claims 6 and 11 would be allowed if rewritten in independent form.

Claim 6 depends from Claim 5 which depended from Claim 1. Claim 5 has been rewritten in independent form to include the limitations of Claims 1 and 6. Claim 6 has been cancelled. Claims 7-9 depend from Claim 5.

Claim 11 depends from Claim 10 which depends from Claim 1. Claim 10 has been rewritten in independent form to include the limitations of Claim 1 and the limitations of Claim 11. Claim 11 has been cancelled. Claims 12 and 13 depend from Claim 10.

Independent Claim 19 has been amended and Independent Claim 21 has been added. Both now include limitations similar to those found in Claims 6 and 11. Claim 20 depends from Claim 19 while new claims 22-25 depend from Claim 21.

Consequently, each of Claims 5, 7-10, 12, 13, and 19-25 now includes a limitation from Claim 6 or Claim 11.

FORMAL MATTERS: Claim 20 has been amended to depend from Claim 19 rather than itself.

CLAIM REJECTIONS – 35 USC § 101: The Examiner rejected Claims 14-18 under §101 asserting that they are directed to both a system and a method. The preamble of Claim 14 has been amended addressing the Examiner's concerns.

CLAIM REJECTIONS – 35 USC § 102: The Examiner rejected Claims 1-5, 10, and 14-18 under §102 as being anticipated by USPN 6,738,156 issued to Simpson. To properly support a §102, a cited reference must teach or suggest the specific combination of elements required by a claim.

Claim 1 is directed to a computer program product for managing print requests for a plurality of electronic documents. The product includes a computer useable medium having computer readable instructions thereon for:

1.   associating the print requests with a job set; and

2.   providing user accessible controls for managing the job set.

The Examiner rejected Claim 1 asserting that Simpson col. 5, line 59 though col. 6, line 3 teaches the first limitation while Simpson, col. 6, lines 36-44 teaches the second limitation.

To the contrary, Simpson, col. 5, lines 36 -34 merely describes the use of a printing software object being used by a driver conduit host. The driver conduit host operates with print job information captured from an operating system. In other words, an application transmits a print job to a printer driver programmed to interact with a spooler and a port monitor to route the print job to a printer. Simpson, col. 6, lines 1-7. It appears that the Examiner has confused the term print job used in Simpson with the term job set used in Claim 1. A review of the present application plainly reveals that a job set is not a print job. Instead, a job set is a grouping of print requests.

Simpson mentions nothing of associating multiple print requests (print jobs) with a job set or providing a user accessible control for managing a job set. Simpson merely mentions a specially programmed printer driver that captures print job information and transmits the print job information to a server conduit host so that a printer software object can provide a user interface (window) for a ser to edit or modify the print job information. Simpson, col. 6, lines 7-11 and lines 39-44.

For at least these reasons, Claim 1 is felt to distinguish over Simpson. Claims 2-4 are also felt to distinguish over Simpson based at least on their dependency from Claim 1.

As noted above, the Examiner has stated that Claims 6 and 11 would be allowed if rewritten in independent form. To that end Claim 5 has been rewritten in independent form to incorporate the limitations of Claims 1 and 6. Claim 10 has been rewritten in independent form to include the limitations of Claim 1 and Claim

11. For at least these additional reasons Claims 5 and 10 are felt to distinguish over Simpson.

Claim 14 is directed to a method for managing print requests for a plurality of electronic documents. Like Claim 1, Claim 14 includes the following combination of elements:

1.   associating the documents with a job set; and

2.   providing user accessible controls for managing the job set.

As with Claim 1, Simpson does not teach or suggest associating a plurality of documents with a job set. Simpson does not teach or suggest providing user accessible controls to managing such a job set. Simply stated, Simpson does not teach the use of job sets in the manner require by Claim 14.

For at least these reasons, Claim 14 is felt to distinguish over Simpson. Claims 15-18 are also felt to distinguish over Simpson based at least on their dependency from Claim 14.
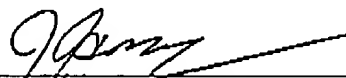

The Examiner rejected Claims 19 and 20 under §102 as being anticipated by USPN 5,450,571 issued to Rosekrans. Claim 19 has been amended to incorporate limitations from Claims 6 and 11 and is felt to distinguish over Rosekrans. Claim 20 is also felt to distinguish over Rosekrans based at least on its dependency from Claim 19.

CLAIM REJECTIONS – 35 USC § 103: The Examiner rejected Claims 7-9, 12, and 13 as being unpatentable over Simpson alone or Simpson in view of Rosekrans. A requirement for establishing a prima facie case for obviousness is that the cited references must teach or suggest each and every limitation in a rejected claim. Simpson and Rosekrans fail to teach or suggest one or more limitations in each of Claims 7-9, 12, and 13. Claims 7-9 depend from Claim 5 and include all the limitations of that base claim. Claims 12 and 13 depend from Claims 10 and include all the limitations of that base claim. For at least the same reasons Claims 5 and 10 are patentable (discussed above) so are Claims 7-9, 12, and 13.

CONCLUSION: The foregoing is believed to be a complete response to the outstanding Office Action. Claims 1-5, 7-10, and 12-25 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,

Antonio Martinez

By _____

Jack H. McKinney

Reg. No. 45,685

January 24, 2005